

1 UNITED STATES BANKRUPTCY COURT
2 WESTERN DISTRICT OF WASHINGTON
3 TACOMA DIVISION

4 In re:

5 Orland Wayne Hardie, III and Stacy Leigh
6 Helmer-Hardie,
Debtor(s).

Case No.: 19-42719-MJH

**AFFIDAVIT IN SUPPORT OF
MOTION FOR RELIEF FROM STAY**

7 STATE OF Connecticut

8 COUNTY OF New Haven

9 Thomas O'Connell, being first duly sworn upon oath deposes and says:
10

11 I am employed at Planet Home Lending, LLC, its successors and assigns ("Movant") and
12 am authorized to make this affidavit on behalf of Movant. I make this affidavit based on my
13 personal knowledge of the facts contained herein. My personal knowledge is based on my review
14 of the servicing records described below.

15 In the regular performance of my job functions, I am familiar with the business records as
16 maintained by Movant for the purpose of servicing mortgage loans. These records (which
17 typically include data compilations, electronically-imaged documents and others) are made at or
18 near the time by, or from information provided by, persons with knowledge of the activity and
19 transactions, reflected in such records, and are kept in the course of business activity conducted
20 regularly by Movant. It is the regular practice of Movant's mortgage servicing business to make
21 and update these records. In connection with making this affidavit, I have personally examined
22 these business records reflecting data and information of Orland Wayne Hardie, III and Stacy
23 Leigh Helmer-Hardie. The servicing records indicate as follows:
24

25 1. **The Secured Debt.** On or about October 3, 2017, Orland Wayne Hardie, III and
26 Stacy Leigh Helmer-Hardie made and delivered a Promissory Note (the "Note") in the original
27
28

principal amount of \$392,705.00 secured by a Deed of Trust (the "Deed of Trust") executed by Orland Wayne Hardie, III ("Debtor") and Stacy Leigh Helmer-Hardie ("Co-Debtor") on the property commonly known as 21515 82nd Avenue Court East, Spanaway, WA 98387 (the "Property"), located at:

LOT 7, PALOMINO ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 17, 1995 UNDER RECORDING NUMBER 9502170100, IN PIERCE COUNTY, WASHINGTON. TOGETHER WITH PRIVATE ROAD AND UTILITIES EASEMENT AS DELINEATED ON SAID PLAT. EXCEPT THAT PORTION OF SAID EASEMENT LYING WITHIN SAID LOT 7. SITUATE IN THE COUNTY OF PIERCE, STATE OF WASHINGTON

True and correct copies of the endorsed Note, Deed of Trust and Assignment are attached as Exhibits "A," "B," and "C," respectively.

2. **The Default Under the Note.** As of the date of this Motion, Debtor is in post-petition default for at least 3 monthly payments beginning with the payment due on June 1, 2020.

As a result of the default, Movant desires to commence foreclosure action against the Property.

The total delinquency under the Note is set forth in detail below.

June 1, 2020	\$2,739.18
July 1, 2020	\$2,894.87
August 1, 2020	\$2,894.87
Total	\$8,528.92

These figures are estimates only and subject to change as additional fees and costs may be incurred. In addition, additional payments may come due.

An additional payment of \$2,894.87 will come due on the 1st day of September, 2020 and the 1st day of each month thereafter.

3. **Debtor's Interest in the Property.** Debtor and Co-Debtor are the owners of record of the Property.

4. **Foreclosure Status.** No foreclosure action had been initiated on this loan.

1 5. **The Total Indebtedness Under the Note.** The approximate indebtedness owed
2 to Movant:

Principal Balance	\$376,317.06
Interest	\$6,572.67
Pro Rata MIP/PMI	\$262.17
Escrow Advance	\$527.50
Fees due/Late Charges	\$233.59
Recoverable Balance	\$750.00
Suspense Balance	(\$3,692.93)
TOTAL as of 08/21/20:	\$380,970.06

8 Please contact Movant's counsel for a full payoff quote.

9 6. **The Filing of the Instant Petition.** On August 23, 2019, Debtor filed the instant
10 Petition as Case No.: 19-42719-MJH.

11 7. **The Value of the Property.** According to Debtor's schedules, the Property has a
12 value of \$457,043.00 (Docket #1).

14 I hereby declare under penalty of perjury that the foregoing is true and correct.

15 SUBSCRIBED AND SWORN to this 31ST day of AUGUST, 2020.

16
17 Thomas O'Connell
18 Name THOMAS O'CONNELL
19 SR. VICE PRESIDENT
20 Title

21 SWORN AND SUBSCRIBED to by before me this 31st day of August, 2020.

22
23 Notary Public, in and for the State of Connecticut.

24
25 Taisha Gonzalez
26 Signature of Notary Public

TAESHA GONZALEZ
NOTARY PUBLIC
State of Connecticut
My Commission Expires
April 30, 2023

27 Taisha Gonzalez Printed Name of Notary Public
28